

EXHIBIT B

Incident#
7882SCI Sussex Correctional Institution
PO Box 500
GEORGETOWN DE. 19947
Phone#: 302-856-5280

Date: 07/07/2004

INCIDENT REPORTGroup: N/A Type: Inmate Involved Incident Date: 07/06/2004 Time: 20:35 Confidential: NoFacility: SCI Sussex Correctional InstitutionFollowup Required: NoAssociated Disciplinary Report #(s): 3563Associated Disciplinary Report #(s): 3564Incident Location: OtherLocation Description: Gym YardViolated Conditions: 1.06/200.203 Disorderly or Threatening Behavior1.17/200.215 Inciting a Riot**Description of Incident:**

On the above date and time, Sgt. Biles was escorting visits across the compound following behind C/O's D. West and C. West who were leaving due to a family emergency. When C/O C. West became visibly upset, C/O D. West went to comfort her all of the sudden someone returning from the gym began hollering "YEAH PUT ARMS ON YOUR FUCKING WIFE I SEE YOU". Sgt. Biles then turned around and saw inmates Brittingham and R. Jones standing at the yard gates hollering. Sgt. Biles then told the inmates to continue moving but they kept standing there encouraging the other inmates to join in. When Sgt. Biles began to approach the area the inmates then began to move. After Sgt. Biles returned to the building he first called I/M Brittingham to the office to speak to him about what had just happened, I/M Brittingham acted as though nothing had happened and claimed that it wasn't him eventhough Sgt. Biles told him that he saw him hollering. Sgt. Biles then had I/M Brittingham leave the office and informed him that he was going to ASDA. Then Sgt. Biles called I/M Jones into the office, I/M Jones came down the steps shouting "what the fuck is this about?" "I didn't say shit" Sgt. Biles then told I/M Jones to sit down and be quiet. I/M Jones then stepped up to Sgt. Biles in a very threatening manner raised both hands and said "You can't make me sit the fuck down, what the fuck is next." Sgt. Biles then physically subdued I/M Jones, placed hand cuffs on him and escorted him along with I/M Brittingham to ASDA. The Watch Commander was notified of the incident.

Injured Persons	Hospitalized	Nature Of Injuries
N/A	N/A	N/A

Evidence Type: N/ADate Collected: N/ADiscovered By: N/ASecured By: N/AType of Force Used: ☒ PHYSICAL ☐ CHEMICAL ☐ STUN ☐ OTHER ☐ CAPSTUN ☐ NONERestraints Used : Handcuffs

Immediate Action Taken:

Reports submitted.

Person Code	Name	SB#	Title
Inmate	Damon, Brittingham L	00384404	N/A
Inmate	Robbie, Jones D	00313356	N/A
Staff	Barry, Biles T	N/A	CO Corporal/Sgt. - Large Inst.

Reporting Officer: Biles, Barry T (Co Corporal/Sgt. - Large Inst.) Entered By: Biles, Barry T (Co Corporal/Sgt. - Large Inst.)

Approval Information
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved Date: <u>07/07/2004</u> Approved by: <u>Wilkinson, David W (Shift Commander - Large Inst.)</u>

Comments: inmate moved to asda, seen by medical, use of force review started